

EXHIBIT B

ERIC D. GREEN
PRINCIPAL
RESOLUTIONS, LLC
PROFESSOR (ret.)
BOSTON UNIVERSITY SCHOOL OF LAW

Personal: Born August 26, 1946, Sewickley, Pennsylvania

Address:

Office: RESOLUTIONS, LLC
125 High Street, Suite 2205
Boston, Massachusetts 02110
(617) 556-0800

Education:

Brown University
Class of 1968, A.B. with Honors

Harvard Law School, Cambridge, Massachusetts
Class of 1972, J.D. Magna Cum Laude; Knox Memorial Traveling Fellowship Award 1972-73, Harvard Law Review Editor and Executive Editor, Vols. 84-85; Harvard Civil Rights-Civil Liberties Law Review, co-author, Summer Research Project Note, Vol. 6

Cambridge University, Cambridge, England
Research Student in Criminology
Knox Fellow, 1972-1973

Professional Membership & Activities:

State Bar of California; State Bar of Massachusetts; U. S. District Courts for N.D. Cal., C.D. Cal., D. Mass. Special Master, Northern District of Ohio, Ohio Asbestos Litigation; D. Mass. Massachusetts Asbestos Litigation; Guardian Ad Litem, Ahearn Class Action Settlement, E.D. Texas; Mediator, Suffolk County Superior Court Mediation Program; Governors Working Group on Alternative Dispute Resolution (Gov. Dukakis); American Bar Association, Section on Litigation (Conference Coordinator, 1982)
ABA/Harvard/NIDR Conference on The Lawyer's Changing Role in Resolving Disputes), Individual Rights, Legal Education, and Criminal Justice. Center for Public Resources (CPR) Legal Program on Reducing The Cost of Business Disputes. Advisor, CPR Judicial Panel. Member, National Panel of Commercial Arbitrators, American Arbitration Association. Boston Bar Association, Long Range Planning Committee and Board of Editors, Boston Bar Journal. Association of American Law Schools, Chairman, Section on Alternative Dispute Resolution. Honorary member American College of Civil Trial Mediators (Lifetime Achievement Award 2001)

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Employment Experience:

- 1997 - Present: Founder, Principal
RESOLUTIONS, LLC
222 Berkeley Street, Suite 1060
Boston, Massachusetts 02116
- 1982 – 1997: Founder, Director, Chief Mediator
J·A·M·S/ENDISPUTE, Inc.
73 Tremont Street
Boston, Massachusetts 02108
- 1977 - 2008: Professor
Boston University School of Law
765 Commonwealth Avenue
Boston, Massachusetts 02215
- Fall, 1979: Visiting Professor
Harvard Law School
Cambridge, Massachusetts 02138
- June - August, 1978: Attorney Advisor to the Regional Director
Los Angeles Regional Office
Federal Trade Commission
11000 Wilshire Boulevard
Los Angeles, California 90024
- 1974 - 1977: Partner - General Civil Litigation
Munger, Tolles & Olson
612 South Flower Street
Los Angeles, California 90014
- 1973 - 1974: Law Clerk
Chambers of Justice Benjamin Kaplan
Massachusetts Supreme Judicial Court
Boston, Massachusetts 02210
- 1961 - 1981: Surveyor/Draftsman/General Counsel/Board of Directors
Green International, Inc.
504 Beaver Street
Sewickley, Pennsylvania 15143

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Teaching Experience:

Professor, Boston University School of Law -- taught courses in Evidence, Alternative Dispute Resolution, Constitutional Law, The Legal Method, and Free Press Issues.

Visiting Professor, Harvard Law School, Fall 1979 -- taught course in Evidence.

Awards:

Recipient of 2001 Lifetime Achievement Award, American College of Civil Trial Mediators

Recipient of 2010 James F. Henry Award, The International Institute for Conflict Prevention & Resolution (CPR)

Selected as one of the Lawdragon 500 Leading Judges in America. March 2006.

Major Publications:

Settling Large Case Litigation: An Alternate Approach (with Marks & Olson), 11 Loyola of Los Angeles Law Review 493 (1978).

Avoiding the Legal Logjam -- Private Justice, California Style, Dispute Management (1981).

An Ounce of Prevention: Dispute Resolution by Contract (with Jacobs), Dispute Management (1981).

The Mini-Trial Approach to Complex Litigation, Dispute Management (1981).

Proceedings of the Intercorporate Disputes Task Force: Expanded Use of the Mini-Trial, Private Judging, Neutral-Expert Fact Finding, Patent Arbitration, and Industry Self-Regulation, Dispute Management (1981).

The CPR Legal Program Mini-Trial Handbook, in Corporate Management, New York: Matthew Bender & Co., Inc., 1982.

Problems, Cases and Materials on Evidence (with Nesson), Little, Brown & Co. 1983, with Teaching Manual and 1984 Supplement.

"A Comprehensive Approach to the Theory and Practice of Dispute Resolution," 34 Journal of Legal Education 245 (June 1984).

Dispute Resolution (with Goldberg & Sander), Little Brown & Co., Fall 1985.

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"A Heretical View of the Mediation Privilege," 2 Ohio State Journal on Dispute Resolution 1 (1986).

"Corporate Alternative Dispute Resolution," 1 Ohio State Journal on Dispute Resolution 285 (1986).

Probability and Inference in the Law of Evidence, (with Tillers), Kluwer Academic Publishers, 1988.

Federal Rules of Evidence: with Selected Legislative History and New Cases and Problems, (with Nesson), Little, Brown and Company (1988).

Rhode Island Rules of Evidence with Advisory Committee Notes & Case Law Developments, Salem, N.H.: Butterworth Legal Publishers (1990).

Problems, Cases and Materials on Evidence, 2nd Edition (with Nesson), Little, Brown & Co. 1994, with Teaching Manual and 1994 Supplement.

Rhode Island Rules of Evidence, (Issue 4) Butterworth Legal Publishers, October 1994.

What Will We Do When Adjudication Ends? We'll Settle in Bunches: Bringing Rule 23 Into the Twenty-first Century, 44 UCLA L. Rev. 1773 (1997).

Future Claimant Trusts and "Channeling Injunctions" to Resolve Mass Tort Environmental Liability in Bankruptcy: The Met-Coil Model, (with Patton & Harron), Volume 22, Emory Bankr. Dev. J. 157 (2005).

Re-examining Mediator and Judicial Roles in Large, Complex Litigation: Lessons from Microsoft and Other Megacases, 86 Boston University Law Review 5 (2006).

Prepackaged Asbestos Bankruptcies: Down but Not Out, (with Fitzpatrick, Patton, Harron & Turner), 63 NYU Annual Survey of American Law 4 (2008).

Other Articles, Addresses, Studies, and Testimony

"Preventive Detention: An Empirical Analysis," 6 Harvard Civil Rights-Civil Liberties Law Review (1971). An original field study sponsored by the American Bar Foundation into the incidence and prediction of recidivism during pre-trial release--extensively reprinted and distributed by the American Bar Foundation Law Review Research Series.

Author, primarily responsible for "The Supreme Court, 1970 Term, Coolidge v. New Hampshire," 85 Harvard Law Review 327, 1971.

Editor, Fletcher, "Fairness and Utility in Tort Theory," 85 Harvard Law Review 537 (1972); Cox, "Labor Law Pre-emption Revisited," 85 Harvard Law Review 1337 (1972):

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"Recent Case, J.E. Bernard & Co. v. United States," 85 Harvard Law Review 1478 (1972).

Alternative Dispute Resolution in Complex Civil Cases, (MCLE-NELI 1981) (Editor).

"Resolution of Business Disputes Outside the Courts" 4 Corporate Counsel Review, June, 1981.

"Mini-Trials Now Used in Government Contract Dispute" Dispute Resolution, Summer, 1982.

"Growth of the Mini-Trial," 9 Litigation 12, Fall 1982.

"James H. Chadbourn (in Memoriam)," 96 Harvard Law Review 1982.

"Ohio Asbestos Litigation: Case Management Plan and Case Evaluation and Apportionment Process," presented to Hon. Thomas D. Lambros, U.S. District Court, Northern District Ohio, by Special Masters Green and McGovern, December 1, 1983.

"Getting Out of Court - Private Resolution of Civil Disputes," 28 Boston Bar Journal 11, May/June 1984.

"Reading the Landscape of ADR -- The State-of-the-Art of Extra-Judicial Forms of Dispute Resolution," First Annual Judicial Conference of the United States Court of Appeals for the Federal Circuit, 1984.

"Asbestos Litigation: Addressing the Problem -- One Court's Strategy," 8 State Court Journal 19 (with Lambros, J. and McGovern), Winter 1984.

"The Life of the Mediator: To be or Not to Be . . . Accountable?", 1 Negotiation Journal: On the Process of Dispute Settlements (with Goldberg and Sanders), July 1985.

"Use of the Mini-Trial in Ocean Related Disputes, in Coastal Zone and Continental Shelf Conflict Resolution: Improving Ocean Use and Resource Dispute Management" MIT Sea Grant Report Series, 1985.

"Private Judging: A New Variation of Alternative Dispute Resolution," 21 Trial 36, 1985.

"Saying You're Sorry," Negotiation Journal (with Goldberg & Sander), July 1987.

"Litigation, Arbitration or Mediation: A Dialogue," 75 American Bar Association Journal 70, (with Goldberg & Sander), 1989.

"Voluntary ADR: Part of the Solution" 29 Trial Magazine 35, April 1993.

"The General Counsel's Guide to ADR in the 1990's: A Negotiation-Based Approach," Business Lawyer; North Carolina Bar Association: Corporate Counsel Section, 1995.

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"The Role of the Broker in Residential Real Estate Transactions," A Report to the Federal Trade Commission (with B. Brown).

Chairman, Keynote Speaker and Editor, "Getting Out of Court: Alternative Dispute Resolution in Complex Civil Cases," Massachusetts Continuing Legal Education Program, May, 1981.

Testimony before the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, re proposed amendments to the Federal Rules of Civil Procedure, October, 1981.

Coordinator and Speaker: First Annual Corporate Dispute Resolution Institute, Northwestern Law School, November, 1982.

"Teaching Alternative Dispute Resolution in Law Schools," AALS Workshop October, 1982, Harvard Law School.

"Reducing and Mitigating Institutional Disputes: The Causes and Effects of Corporate and Private Institutional Disputes With Government, Employees, Consumers and Each Other." in The Lawyer's Changing Role in Resolving Disputes (forthcoming). (This paper was presented at the "National Conference on the Lawyer's Changing Role in Resolving Disputes," October, 1982, at Harvard Law School, published in The Lawyer's Changing Role in Resolving Disputes, (ed. with Marks and Sander), will be the major publication of the National Conference held at Harvard in October, 1982. Law & Business Department of Harcourt, Brace, Javonovitch.

Minnesota Continuing Legal Education Program 1982.

Speaker, American Arbitration Association Workshop on Alternative Dispute Resolution, March, 1983.

"Alternatives to Litigation," Eight Annual Judicial Conference of the District of Columbia, June, 1983.

"Private Resolution of Corporate Disputes," ABA Committee on Corporate Counsel, Annual Meeting, 1984.

"Resolution of Corporate Disputes," Southeastern Corporate Law Institute, 1984.

"Alternative Dispute Resolution," The American Lawyer Conference on "Coming of Age in the '80s - How Corporate Counsel can Cope with Success," 1984.

Speaker and Program Chairman, "Cost-Effective Dispute Resolution and Management," Center for Public Resources Dispute Management Education Program, to more than a dozen corporate legal staffs 1982-1983.

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"Alternative Dispute Resolution of Patent and Antitrust Cases," PLI Patent and Antitrust Conference, 1984.

"International Commercial Dispute Resolution: Courts, Arbitration, and Mediation - Introduction,' 15 BU International L.J. 175 (1997).

"Advancing Individual Rights Through Group Justice," and "A Post – *Georgine* Note," 30 U.C. Davis L. Rev. 791 (1997).

Law School Administrative and Committee Activities

Committees

Faculty Council Rep. (1993 - 1994)
Placement and Clerkship (Chairman, 1978-79)
Clinical (Chairman, 1982) (Primarily responsible for Rhode Island Correctional Clinical Program Proposal)
Appointments (Co-Chairman, Minority Recruitment Subcommittee, 1980-82)
Combined Degrees Programs
J.D. Program (primarily responsible for Upper-Class Writing Requirement Program Proposal)

Advisor, Environmental Law Society

Judge, Albers & Stone Moot Court Competitions

Other Professional and Community Membership Activities:

Reporter to the Advisory Committee on Proposed Rules of Evidence for Rhode Island.

Special Master, United States District Court, Northern District of Ohio, Ohio Asbestos Litigation.

Conference Coordinator, Harvard Law School/ABA, National Conference on the Lawyer's Role in Resolving Disputes (October 14-16, 1982).

Executive Committee and Chairman, AALS Section on Alternative Dispute Resolution.

Member, AALS Sections on Evidence and Alternative Dispute Resolution

Consultant and Member, Center for Public Resources, Inc. ("CPR"), Legal Project on Reducing the Costs of Business Disputes; also former Chairman, CPR Task Force on Inter-corporate Disputes and former Co-Chairman, CPR Dispute Management Education Program.

Chairman, New England Sierra Club Legal Committee (1981).

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Consultant, FTC Real Estate Brokerage Investigation (1979).

Editor, Organizer, MCLE-NELI 1981 Seminar on Alternative Dispute Resolution in Complex Civil Cases.

Founder and Chairman, Open Arms, Inc. (non Profit Refugee resettlement group).

RESOLUTIONS, LLC

125 High Street, Suite 2205, Boston, MA 02110 • tel: 617-556-0800 • fax: 617-556-9900

CARMIN C. REISS

DISPUTE RESOLUTION EXPERIENCE

- 1997 – present **RESOLUTIONS, LLC.** Principal. Mediator, Arbitrator and Trainer. Mediator of disputes involving environmental, commercial, construction, product liability, personal injury, employment, professional malpractice, insurance and other issues. Arbitrator of personal injury and construction disputes. Trainer and program developer for negotiation and mediation training sessions for private and public institutions and law firms.
- 1990 - 1997 **J.A.M.S./ENDISPUTE.** Senior Mediator, Arbitrator and Trainer.
- 1994 – 1999 **RESOLVE Subcontractor.** EPA approved subcontractor to RESOLVE, Washington, D.C. (primary EPA dispute resolution contractor) for enforcement disputes involving EPA.
- 1992 - 1994 **Middlesex Multi-door Courthouse.** Service on panel of mediators selected and maintained by court-annexed dispute resolution program. Mediator of numerous multi-party disputes involving construction, personal injury, employment, insurance and other issues.
- 1997 – 2005 **Middlesex Multi-door Courthouse.** Service on panel of mediators selected and maintained by court-annexed dispute resolution program. Mediator of numerous multi-party disputes involving construction, personal injury, employment, insurance and other issues.
- 1991 - 1996 **FDIC Mediation Roster.** Service on panel of neutrals maintained by the FDIC for mediation of commercial paper disputes.

LAW PRACTICE EXPERIENCE

- 1984 - 1990 **Bingham, Dana & Gould**, Boston. Senior Associate, Litigation Area. Represented and advised corporate and individual clients on large and small environmental, general commercial, real estate, U.C.C., trade secret, unfair competition, product liability, insurance, partnership, tax and other matters. Tried several cases to conclusion.
- 1986 **Federal Defender Office**, Boston. Assistant Federal Public Defender. During six-month leave from Bingham, Dana & Gould, represented criminal defendants in United States District Court, the First Circuit Court of Appeals, and the United States Supreme Court in all stages of proceedings, from bail hearings through trial and appeal.
- 1983 - 84 **Massachusetts Appeals Court**. Law Clerk to Justice David A. Rose.
- 1982 - 83 **Massachusetts Superior Court**. Law Clerk to the Justices.

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TEACHING EXPERIENCE

- 2010-present **Suffolk University Law School.** Adjunct Professor. Instructing courses in Negotiation.
- 1990-91 **Boston University School of Law.** First Year Writing Program Instructor.
- 1983-84 Instructed the full-year required course in legal method, research, and writing, including moot court and negotiation segments.

EDUCATION

- 1982 **Boston University School of Law**, Juris Doctor. Sadie Lipner Shulman Scholar, 1980-81; 1979-80.
- 1978 **Brandeis University**, A.B., English/Economics, *magna cum laude*, with honors in English and American Literature.

DISPUTE RESOLUTION TRAINING

- 1997 **JAMS/Endispute Employment Mediation Program.** One-day training program for mediation and arbitration of employment disputes.
- 1996 **JAMS/Endispute Advanced Mediation Skills Program.** Two-day training program in advanced mediation skills in California.
- 1992 **Massachusetts Office of Dispute Resolution.** Two-day advanced mediation training program.
- 1990-91 **ENDISPUTE.** Apprenticeship training in mediation (observation and co-mediation) of 30+ hours.

BAR ADMISSIONS

- 1982 Massachusetts Supreme Judicial Court
- 1983 United States District Court for the District of Massachusetts
- 1983 United States Court of Appeals for the First Circuit
- 1984 United States Supreme Court

PUBLICATIONS

- 1996 Author of *Mediation of Environmental Contamination Disputes*, chapter sixteen of **Mediating Legal Disputes: Effective Strategies for Mediators and Lawyers**, D. Golann editor and principal author, Little Brown & Co. (1996), winner 1996 CPR Book Award.
- 1997 ADR Editor for the *Massachusetts Superior Court Civil Practice Manual* (MCLE 1997).

PRESENTATIONS

Boston Bar Association, ADR Committee, New Developments in Mediation
Massachusetts Continuing Legal Education, Effective Advocacy in Mediation
American Bar Association, Section on Dispute Resolution, Mediation Skills Training
Women's Business Forum, Program on Conflict Management
Boston Bar Association, Employment and Dispute Resolution Sections
Massachusetts Bar Association, Program on Resolving Business Disputes
Massachusetts Continuing Legal Education, Program on Private Cost-Recovery Claims
Mealey's Conference on Settling the Long-Tail Claim
Strategic Research Institute Conference on Environmental ADR
EPA/ACCA Conference on Environmental ADR, session facilitator
New Hampshire Bar Association, Environmental Section
Boston Bar Association, Environmental Section
Rainer & Rainer, Annual Lead Paint Poisoning Litigation Seminar
Jones, Day, Reavis & Pogue, Environmental Insurance Seminar
Boston Bar Association, Program on Mediation
American Bar Association, Program on Settling Public Construction Disputes
Association of University Technology Managers, Annual Meeting
Boston College Law School, guest lecturer on ADR on numerous occasions

PUBLIC SERVICE

Elected to Board of Selectmen, Concord, MA, April 2010 – present
Zoning Board of Appeals, Concord, MA, Associate Member, 2008 – 2010
Boston Bar Association, ADR Committee Co-Chair, 2009 - 2011

CURRICULUM VITAE

- 2011 -

Judge Nancy Gertner (Ret.)

Professor from Practice

Harvard Law School

Griswold 301

1525 Massachusetts Avenue

Cambridge, Massachusetts 02138

Date of Birth: May 22, 1946

Admitted to Practice: December, 1972

LEGAL EDUCATION

Yale University, J.D. (1971)

Yale Law Journal, Board of Editors

GRADUATE EDUCATION

Yale University, Department of Political Science

M.A. Degree 1971 (Completion of all course requirements towards Ph.D.)

UNDERGRADUATE EDUCATION

Barnard College, Columbia University

B.A. June, 1967 (Major in Political Science)

Cum Laude, with Honors in Government

EMPLOYMENT RECORD

<u>Employer</u>	<u>From</u>	<u>To</u>	<u>Nature of Work</u>
Harvard Law School	9/11	Present	Professor from Practice
Yale Law School	1998	Present	Visiting Lecturer

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<u>Employer</u>	<u>From</u>	<u>To</u>	<u>Nature of Work</u>
U.S. District Court	4/94	9/11	Judge
Northeastern University Law School	2001	2001	Visiting Lecturer
Dwyer, Collora & Gertner	6/90	4/94	Partner
Boston College Law School	1995	1998	Instructor (Jury System, Advanced Evidence)
Boston University School of Law	9/72	9/90	Instructor (Jury System)
	9/94	9/95	Discrimination)
Harvard Law School	9/85	6/86	Visiting Professor
	1/11	1/31/11	Harvard Law School
Silvergate, Gertner, Fine & Good	11/73	6/90	Partner
U.S. Court of Appeals	9/71	10/72	Clerk for Chief Judge Seventh Circuit Luther M. Swygert Chicago, Illinois

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PUBLICATIONS

Books

1. Implicit Bias, Justin Levinson, ed., chapter on Employment Discrimination with Melissa Hart (2012) (Cambridge University Press) (FORTHCOMING).
2. The Law of Juries, co-authored with Judith Mizner (2012) (Thomson-Reuters).
- 3.. In Defense of Women: Memoirs of an Unrepentant Advocate, (April 2011) (Beacon Press).
4. Comments - Offense/Offender Distinction and Competence, in Criminal Law Conversations (ed. Paul H. Robinson, Stephen P. Garvey, Kimberly Kessler Ferzan) (Oxford University Press, 2009).
5. Essays on the Comparative Law of Sentencing, forthcoming.
6. "The Failure of the United States Sentencing Commission" in Penal Populism: Sentencing Councils and Sentencing Policy, Arie Frieberg and Karen Gelb, ed. , (Fall 2007).
7. "Interference with Reproductive Rights," Reproductive Laws for the 1990s, Rutgers Law School (Sherrill Cohen & Nadine Taub eds., 1988)

Articles/Publications

1. Commentary to Mnookin, et al. The Need for Research Culture in the Forensic Sciences, 58 UCLA Law Review 789 (February, 2011).
2. Juries and Originalism: Giving "Intelligible Content" to the Right to a Jury Trial, 71 Ohio State Law Journal 935 (2011) (paper given at a conference on "Originalism and the Jury," Ohio State University Moritz College of Law).

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3. "A Short History of American Sentencing: Too Little Law, Too much Law or Just Right, 100 Northwestern Journal of Criminal Law & Criminology 101 (2010)(paper given at conference celebrating the centennial of the NW Journal of Criminal Law and Criminology)
4. Tradeoffs of Candor: Does Judicial Transparency Erode Legitimacy, 64 N.Y.U. Ann. Surv. Am. L. 449 (2009)
5. Kimbrough, Gall and Me, Ohio St. L. J. Crim.L. Amici: Views from the Field, at 4 (January 2008), available at <http://osjcl.blogspot.com>.
6. Supporting Advisory Guidelines, 3 Harvard Law & Policy Review 237 (2009)
7. *Rita Needs Gall* – How to Make the Guidelines Advisory, 85 Denver University Law Review 63 (2007)
8. Alternatives to the Carceral State: The Judge's Role, 74 Social Research (No.2) (Summer 2007)
9. From Omnipotence to Impotence: American Judges and Sentencing, 4 Ohio State Journal of Criminal Law 523 (Spring 2007)(Justice Harry A. Blackmun Lecture)
10. 12 Angry Men (and Women) in Federal Court, 82 Chi-Kent L. Rev. 613 (2007)
11. Thoughts on 'Reasonableness. 19 Fed. Sent. R. 165 (February, 2007)
12. What Yogi Berra Teaches About Post-Booker Sentencing, July 03, 2006, Pocket Part, A Companion to the Yale Law Journal (on-line at:
<http://thepocketpart.org/2006/07/gertner.html>)
13. The Philip D. Reed Lecture Series: Panel Discussion: Federal Sentencing Under 'Advisory' Guidelines: Observations by District Court Judges, 75 Fordham L. Rev. 1 (October 2006).

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14. Distinguished Jurist-in-Residence Lecture, Sentencing Reform: When Everyone Behaves Badly, 57 Me. L. Rev. 569 (2005).
15. The Globalized District Court, 26 U. Haw. L. Rev. 351 (2004)
16. To Speak or Not to Speak: Musings on Judicial Speech, 32 Hofstra Law Review 1147 (Summer 2004)
17. Videoconferencing: Learning Through Screens, 12 William and Mary Bill of Rights Journal 769 (2004)
18. Women Offenders and the Sentencing Guidelines, 14 Yale Journal of Law & Feminism 291 (2002)
19. What Has Harris Wrought? 15 Fed. Sentencing Reporter 83 (2002)
20. Electronic Case Filing Is Here to Stay, Boston Bar Journal (May/June, 2002)
21. Federal Sentencing Guidelines, A View from the Bench, American Bar Association; 29 Hum. Rts. Mag. 6 (Spring, 2002)
22. Apprendi and the Return of the Criminal Code, 37 Criminal Law Bulletin 553 (2001)
23. "Circumventing Juries, Undermining Justice: Lessons from Criminal Trials and Sentencing, 32 Suffolk U. L. Rev. 419, 421 (1999) (Donahue Lecture)
24. Teaching Judges How to Sentence, with Judge Michael M. Mihm, 11 Federal Sentencing Reporter 96 (1998)
25. Book Review: Is the Jury Worth Saving? The Jury: Trial and Error in the American Courtroom, Stephen J. Adler; 75 Boston University Law Review 923 (1995)

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26. Jury Selection in Massachusetts, Massachusetts Criminal Procedure, (E. Blumenson, Editor) (1991)
27. Occupational Health and Safety: The Special Problem of Tort Liability for Reproductive Hazards, MCLE-NELI Paper (Winter, 1991)
28. Money Laundering Crimes and the Sentencing Guidelines, ABA Federal Sentencing Guidelines Institute, ABA (May 16, 1991); Champion (December, 1990)
29. Prosecutorial Misconduct in the Grand Jury: Life After Mechanik and Bank of Nova Scotia, ABA Panel (October 24, 1990)
30. Fighting Discrimination Through the Law, Berlin Journal of Sociology (December 1991); Paper also presented to a symposium in Germany sponsored by the International Research & Exchange Board in connection with Humboldt University, Berlin, Germany
31. Organization and Litigation Strategy for Comparable Worth, 20 U. Mich. J.L. Reform 163 (1986)
32. On Trial! A Disciplinary Rule that Limits Attorney Subpoenas, 1 Criminal Justice 2 (Fall, 1986)
33. Chapter on Employment Discrimination, Callaghan & Co. A Comprehensive Guide to Labor & EEOC Law (1985)
34. "The Impact of Bakke on Sex Discrimination: Pedestal or Cage," 14 Harvard Civil Liberties Civil Rights Law Review 173 (1979)
35. Book Review: Sex Based Discrimination, Ginsburg, Davidson & Kay; Boston University Law Review 55 (October, 1974)
36. "Rehabilitation, Investigation, and the Welfare Home Visit," 79 Yale L.J. 746 (March 1971)

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HONORS AND AWARDS

1. In May 2011, Judge Gertner received the Massachusetts Bar Association's Hennessey award for judicial excellence.
2. In May 2011, Judge Gertner received an honorary Doctor of Laws degree from Brandeis University.
3. In the spring of 2010, Judge Gertner received the Morton A. Brody Distinguished Judicial Service Award in a ceremony at Colby College.
4. In September 2008 Judge Gertner became a member of the Leadership Council of the International Center for Research on Women (which includes Amartya Sen, Her Majesty Queen Rania Al Abdullah, Susan Berresford, Cherie Blair, Lawrence Summers, Nina Totenberg).
5. On August 9, 2008, Judge Gertner received the Thurgood Marshall Award from the American Bar Association, Section of Individual Rights and Responsibilities. (Former awardees include Justice Ruth Bader Ginsburg).
6. Federal Bar Association, Judicial Excellence Award, 2008.
7. Charles P. Kindregan Award from Suffolk University Law School, 2007.
8. "Judicial Excellence" Citation from the Boston Bar Association in May 2006
7. "Great Friend of Justice" Award from the Massachusetts Bar Foundation 2006
8. Massachusetts Lawyer's Weekly Judge Twoomey Judicial Excellence award in 2005
9. Massachusetts Lawyer's Weekly - one of "The Most Influential Lawyers Of The Past 25 Years"

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10. Massachusetts Lawyer's Weekly - voted by readers as the "best" federal judge in Boston (1999)
11. Public Service Award for Recognition of Outstanding Contributions Towards Building the Foundation for Civil Rights Through Public Service from The Lawyers Committee for Civil Rights Under the Law of the Boston Bar Association (September 15, 1999)
12. Judicial Recognition Award presented by the National Association of Criminal Defense Lawyers (1999)
13. Charles R. Merriam Distinguished Professor at Arizona State Law School (February 2002)
14. New York State Association of Criminal Defense Lawyers, Hon. William Brennan Award, (2000)
15. Honorary Degree, Juris Doctor, Northeastern University School of Law, Boston, Massachusetts (1999)
16. Lawyers Committee for Civil Rights, Boston, Massachusetts, Award for The Advancement of Civil Rights (1999)
17. Honorary Degree, Juris Doctor, Suffolk University Law School (1997)
18. Abigail Adams Award, presented by the Massachusetts Women's Political Caucus Education Fund - June, 1994
19. Distinguished Jurist Award, presented by the Massachusetts Association of Women Lawyers - June 1996
20. Listed in "Best Lawyers in America," Steven Naifeh and Gregory White Smith, 1991 - 1993, in two categories: Labor Law and Criminal Law.

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21. Black Educators' Alliance Award, Professional Service to Education - June, 1983 (For representation of the Concerned Black Educators of Boston in the Boston Desegregation case)
22. Abraham T. Alper Award for Excellence in Civil Liberties, awarded May, 1980, Civil Liberties Union of Massachusetts

LECTURES AND PANELS

International

I have been the keynote speaker at a variety of conferences concerning civil rights, civil liberties, employment and criminal justice and procedural issues. I have participated extensively in events and panels involving the United States Sentencing Guidelines, judicial independence, human rights and women's rights, throughout the United States and abroad: through the ABA CEELI Institute -- programs in Prague involving judges from Eastern and Central Europe, defense lawyers from Kosovo; through the Yale Law China Project and the Wellesley Center on Women, programs in China, Vietnam, Cambodia; through Fordham Law School Law and Ethics program, programs in Israel; through the Lawyer's Committee for Human Rights, programs in Turkey; through the Kennedy School, Women and Public Policy, and Israel, Turkey, Prague - through the ABA CEELI Institute.

I have given papers on sentencing in Glasgow, Scotland, University of Strathclyde, Melbourne, Australia, Monash University School of Law, and in Budapest, Hungary, at the Eotvos Lorand University (Suffolk University Law School's International LL.M Program). I have also lectured at Central European University, Budapest Hungary on race and gender and the criminal law.

Trial Practice

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Before becoming a judge, I taught courses sponsored by the Massachusetts Continuing Legal Education - New England Law Institute (MCLE-NELI) and the National Institute of Trial Advocacy nearly every year since August of 1978. In addition, I have served as a teacher in Harvard Trial Advocacy Workshops for the training of Harvard law students.

Criminal Law and Procedure

Before I became a judge I participated in programs on a number of criminal law topics including programs on lawyer subpoenas, NACDL, August, 1986, the problems of victims of rape and child abuse (National Conference of Women Judges, September 1984); jury selection issues (First Circuit Judicial Conference, September, 1981); and crime and punishment issues (Northeastern University, June, 1980); Massachusetts Correctional Association (1989); "date rape," the National Judicial Institute (1992); Superior Court of Massachusetts (November, 1992), .complex criminal litigation, including "Super Star" Panel, Florida Public Defenders (December, 1986); National Association of Criminal defense Lawyers and American Bar Association panels on white collar crime (1981-1992); Massachusetts Academy of Trial Lawyers (March, 1980, March 1981); NCLE-NELI (November, 1978, July, 1980, March, 1984).

Women's Rights

Before I became a judge, I participated in panels involving reproductive rights, sexual harassment, prosecuting of women for carrying drugs in utero before the Massachusetts bar Association, Labor Law Section (1979, 1980, 1990; Planned Parenthood Association (February, 1982); Kennedy School of Government (November, 1991); Victim's Rights and the Constitution (Superior Court Judges, November, 1984); National Women's Association of America (February, 1982); National Women's Studies Association (July, 1983); Georgetown University, (Fall, 1990); American College of Psychiatrists, (Winter, 1991); International Research and Exchanges Board, (Spring, 1991); Sex Discrimination in United States, Berlin, Germany (1990).

AFFILIATIONS

JUDGE NANCY GERTNER (Ret.)

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1. Equality Commission, formed by various Mass. Bar Associations (current)
2. National Association of Women Judges, federal judges committee (current)
3. American College of Trial Lawyers, fellow, and member Criminal Litigation Committee (current)
4. International Advisory Board of the American Bar Association's CEELI Institute (til 2008)
5. Chair, Department of Justice Dialogue Committee; Joint Committee of the ABA and the National Association of Criminal Defense Lawyers (1990 - 1992)
6. Chair, (Public Defenders Board) (1988-1990) - Committee for Public Counsel Services (Member since its inception)
7. Member, Governor's Anti-Crime Council (1984-1990) (Counsel formed by Governor Dukakis to oversee criminal justice issues)
8. Delegate, American Bar Association, Criminal Justice Section (1987-1988)
9. Chair, American Bar Association Subcommittee on Witness Harassment, Litigation Section (1985-1986) (Specifically charged with reviewing 18 U.S.C. §151, obstruction of justice statute)
10. Vice-Chair, American Bar Association Grand Jury Committee, Criminal Defense Function (Principally involved in preparing testimony and guidelines for the issuance of attorney subpoenas)
11. Member, Massachusetts Citizen's Advisory Committee on Probation, (1984-1990) (Oversight to Massachusetts Probation Service)

JUDGE NANCY GERTNER (Ret.)

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12. Delegate at Large (1986-1990), Massachusetts Bar Association, Labor Law Committee; Bench Bar News Committee; Section on Individual Rights and Responsibilities
13. Board of Directors, National Association of Criminal Defense Lawyers (NACDL) (1986 - 1994); Chair, Lawyer's Assistance Strike Force; Elections Committee
14. Boston Bar Association, Member, Civil Justice Advisory Committee to the U.S. District Court (Charged with implementing the Biden Committee reforms)
15. Member, Advisory Committee, U.S. Court of Appeals, First Circuit
16. Fellow of the American Bar Foundation (December 2002)
17. Advisory Committee, National Judicial Education Program to Promote Equality for Women and Men in Courts; National Organization of Women-Legal Defense Fund and the National Judicial Institute (1992 - 1993)
18. Member, Lawyers Committee for Civil Rights Under Law of the Boston Bar Association, Steering Committee Member (from 1979 - 1994)
19. American Civil Liberties Union, Board of Directors (1977-1984)
20. Massachusetts Civil Liberties Union, Board of Directors; Women's Rights Committee
21. Women and the Law Conference, former member, Steering Committee, Board of Directors, (1973-1985)
22. American Bar Association - Central and Eastern European Law Initiative Advisory Council (2002)
23. Member/Adviser, American Law Institute - American Bar Association

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24. Honorary Lifetime Member, National Association of Criminal Defense Lawyers
25. METCO, former member, Board of Directors
26. Massachusetts Academy of Trial Lawyers
27. Massachusetts Half-Way Houses, Incorporated, House Committee
28. Vice Chair, Basic Trial Advocacy Course Committee, ATLA (1985-1986)
29. Louis Stein Center for Law and Ethics (Fordham Law School) Board of Advisors

Hiller B. Zobel
D/B February 23, 1932
A.B. Harvard 1953; LL.B. Harvard 1959

Full time practice of law, Boston 1959-1967; part-time, 1967-1979, 2002-2005.
Specialties: Personal injury litigation; libel; maritime litigation.

Part-time mediation and arbitration, 2002-2005

Assoc. Professor and (tenured) Professor. Boston College Law School, 1967-1979
Courses: Civil Procedure, Evidence, Copyright, Admiralty, Trial Practice, Judicial
Process (seminar)

Associate Justice, Massachusetts Superior Court, 1979-2002
Justice in charge of Asbestos Litigation, 1981-2005
Massachusetts judicial representative, National Mass Torts Litigation Committee,
1991-1996 (Executive Committee, 1992-1995)
Recalled Associate Justice, Massachusetts Superior Court, 2005-2009

Author:

The Boston Massacre (1971; reissued, 1996)
Massachusetts Rules Practice (with James W. Smith) (4 vols. 1974-1981); and
second edition (2006-2007)
Doctors and the Law (with Stephen N. Rous, M.D.) (1992)

Editor:

Legal Papers of John Adams (with L. Kinvin Wroth) (3 vols. 1965)

Various scholarly articles on law and history; op-ed pieces; monthly column, Christian Science Monitor ("Judging the Law") (1982-1988; 1990)

Elected member: Massachusetts Historical Society, American Antiquarian Society,
Colonial Society of New England, Society of American Historians.

Council (Board): Massachusetts Historical Society, Board of Managers, Old South
Meeting House, National Advisory Council, Donald W. Reynolds Center for Courts
and the Media, National Judicial College/University of Nevada.